

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Public Hearing on Proposed Amendments to the Development Code
DEPARTMENT:	Planning and Development Services
PREPARED BY:	Steven Szafran, Planner II, Joe Tovar, Director, Planning and Development Services

SUMMARY

At its next meeting, the Commission will hold a public hearing on a set of Development Code amendments. An amendment to the Development Code is used to bring the City's land use and development regulations into conformity with the Comprehensive Plan, or to respond to changing conditions or needs of the City.

Staff has suggested a large number of amendments, and has divided the requests into groups based on importance. Most in the first group deal with Engineering and Utilities development regulations.

A summary of the amendments can be found in **Attachment A** which was sent to the Commissioners prior to the study session on this topic. The proposed amendment language is found in Exhibit 1 of Attachment A: Notebook of Proposed Amendments.

I. PROPOSAL

The Development Code Section 20.30.100 states that "Any person may request that the City Council, Planning Commission, or Director initiate amendments to the Development Code."

Amendments to the Development Code are processed as legislative decisions. Legislative decisions are non-project decisions made by the City Council under its authority to establish policies and regulations. The Planning Commission is the review authority for legislative decisions and is responsible for holding an open record Public Hearing on the proposed Development Code amendments and making a recommendation to the City Council on each amendment.

Attachment A includes a copy of the original and proposed amending language shown in legislative format. Legislative format uses ~~striketroughs~~ for proposed text deletions and underlines for proposed text additions. Amendment #7 proposes to reorganize the code section and does not propose changes to the language of the section.

The following is a summary of the proposed first batch code amendments, with staff analysis.

Amendment #1: 20.20.046 (Site Development Permit Definition). This amendment clarifies when a Site Development Permit is needed. City Staff has added the word “redevelop” to clarify that a Site Development Permit may be needed when an applicant redevelops a site.

Amendment #2: 20.30.080 (Preapplication Meeting). This amendment adds language referring to the procedural requirements for a preapplication meeting. The reason for the added language is to inform an applicant that additional permits may be needed and the time and procedure for obtaining those permits. In the past applicants have discovered mid-process that additional approvals were necessary and their timelines could not be met.

Amendment #3: 20.30.295 (New Code Section). This is a new code section explaining the purpose, general requirements and review criteria of a Site Development Permit. The Site Development Permit process has not been well defined as to its applicability. Section 20.30.295 explains the purpose of a SDP, when a SDP is required and the review criteria for a SDP.

Amendment #4: 20.30.480 (Binding Site Plans). This amendment deletes the condominium section from the binding site plan requirements. Binding Site Plans are a division of land for commercial and industrial lands and should only apply to commercial and industrial divisions of land. A condominium is not a division of land, it is a form of ownership, and should not be considered as such.

Amendment #5: 20.50.020(1) (Densities and Dimensions in Residential Zones). The purpose of this Development Code Amendment is to modify building coverage and impervious area for zero lot line developments. Maximum building coverage and maximum impervious area requirements will still apply over the entire site, not on individual zero lot line lots. The Development Code currently allows modified standards for lot width, lot area, and front, side and rear yard setbacks. By allowing modified standards for maximum building coverage and impervious surfaces, more flexibility is given to applicants while the impact of overall impacts is not increased.

Amendment #6: 20.50.040 (Setbacks). The amendment deletes the requirement for residential driveways having to comply with setback standard. Residential driveways will be allowed to go up to the property line with no setbacks required. When a property owner wants to subdivide an existing parcel, many times they do not have the room to place a new driveway and still meet the required side yard setback. This amendment will allow the property to have more flexibility to subdivide an existing parcel while helping meet the City’s growth targets.

Amendment #7: 20.70.010 (Easements and Tracts). The amendment revises and clarifies language regarding easements and tracts. No content has been added to this section; however, the amendment reorders and clarifies the section making it easier to follow and understand.

Amendment #8: 20.70.160 (A) (1). This amendment is the result of a situation that arose during a short plat application. Under SMC 20.70.160 private streets are allowed, subject to City approval, when specified conditions are present. One of those conditions is that the street is to be located within a tract. Since the acreage within a tract is subtracted from the buildable lot area, the current process can result in a reduction in the number of lots permitted on a site. The City can improve customer service and code administration by simplifying and clarifying the process for determining density and how many lots can be realized on a piece of property.

II. FINDINGS

TIMING AND AUTHORITY

The application for this set of amendments was made on July 6, 2006 and deemed complete. The Notice of Public Hearing and SEPA Determination was advertised on July 13, 2006. The Planning Commission held a study session on this item on July 6, 2006.

Applications for amendments to the Development Code are evaluated according to the criteria outlined in Section 20.30.350 of the Shoreline Municipal Code (SMC). The City Council may approve an application for amendments to the Development Code if the decision criteria are met.

CRITERIA

The following discussion responds to the decision criteria set forth in Section 20.30.350 of the SMC.

Criteria 1: The amendment is in accordance with the Comprehensive Plan.

One of the city's roles in the economic development process is to ensure that development can occur in a timely and predictable manner. Policy ED-37 addresses this:

ED-27: Ensure a customer, service-oriented permitting process for commercial improvements, expansions, and developments.

Though this policy specifically applies to commercial development, the proposed changes to the permit review process will also benefit residential development and redevelopment.

Criteria 2: The amendment will not adversely affect the public health, safety or general welfare.

Staff's review of the proposals concludes that the amendments will result in improvement to the permit review system and will have a positive affect of the general welfare of the public.

Criteria 3: The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

The proposals increase flexibility and represent an improvement to the current Development Code.

III. CONCLUSION

The proposal meets the criteria set forth in the SMC.

IV. PLANNING COMMISSION ROLE AND OPTIONS

As this is a Type L action, the Planning Commission is required to conduct a Public Hearing on the proposal. The Commission should consider the application and any public testimony and develop a recommendation for approval, modification, or denial. The City Council will consider the Commission's recommendation prior to its decision on the application.

V. PRELIMINARY STAFF RECOMMENDATION

Staff recommends that the Commission approve the proposed amendments and enter into findings based on the information presented in this staff report that the proposal meets the decision criteria amendments to the Development Code as outlined in SMC 20.30.350.

NEXT STEPS

Questions about application of the code amendments can be complicated and require additional analysis. Because of this, if Commissioners formulate questions prior to the meeting, we request that you contact Steve Szafran prior to the meeting so that he can prepare a complete answer. Steve's number is 546-0786.

ATTACHMENT

Attachment A: Notebook of Proposed Development Code Amendments.

The Planning Commissioners received printed copies of this document. Copies of the notebook are available on line at www.cityofshoreline.com and at the Planning and Development Services Office at 17544 Midvale Avenue North in the City Hall Annex. If you have any questions regarding how to obtain or view a copy of this information, please call the Planning Commission Clerk at 206-546-1508.